No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

1917

CHRON

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

April 30, 1975

Dear Mr. Halperin:

I have your letter of March 27, 1975 appealing the denial of your request for all National Security Council Intelligence Directives issued since 1948.

We have carefully examined the documents in the light of your request, and have determined that they are exempt from compulsory disclosure under 5 U.S.C. 552 (b) (1) and (3). Also, the documents are classified and exempt from the General Declassification Schedule pursuant to the provisions of Section 5 (B) (2) and (3) of Executive Order No. 11652 (March 8, 1972), as amended.

As you know, you have the right to seek judicial review of this denial of your request under the provisions of 5 U.S.C. 552.

Best regards,

Henry A. Kissinger

Mr. Morton H. Halperin
122 Maryland Avenue, N.E.
Washington, D.C. 20002

OGC/Legal, DOJ, NSS
Reviews Completed.

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

Page Denied

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

Page Denied

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

MORTON H. HALPERIN
122 MARYLAND AVENUE, N. E.
WASHINGTON, D. C. 20002
(202) 544-5380

March 26, 1975

Mrs. Jeanne W. Davis
Staff Secretary
National Security Council
Old Executive Office Building
Washington, DC 20506

Dear Mrs. Davis:

This is an appeal pursuant to sub-section (a)(6) of the Freedom of Information Act (5 U.S.C. §552).

I have received a letter dated March 17, 1975 from you, denying my request for all National Security Council Intelligence Directives issued since 1948. The above letter indicated that an appeal should be directed to you; this letter constitutes that appeal. I am enclosing a copy of my exchange of correspondence with your agency so that you can see exactly what files I have requested and the grounds on which my request has been rejected.

I trust that upon examination of my request you will conclude that the information I have requested is not properly covered by exemption (b)(1) of the amended Act and will make the information promptly available.

As provided for in the Act, I will expect to receive a reply within twenty working days.

If you are unable to order release of the requested information, I intend to initiate a lawsuit to compel its disclosure.

Yours sincerely,

Morton H. Halperin

mhh/cmm

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 17, 1975

Dear Mr. Halperin:

I am writing in further response to your letter of February 19, 1975 in which you request a copy of all National Security Council Intelligence Directives issued since 1948.

The NSC Staff has carefully reviewed these documents and has determined that for the present all of them must remain classified and that they are exempt from declassification under Section (b) (1) of the amended Freedom of Information Act.

You are aware that you have the right to appeal this decision to Mr. Kissinger, in his role as Assistant to the President for National Security Affairs. Such an appeal should be addressed to me as Staff Secretary of the National Security Council.

Sincerely,

Jeanne W. Davis
Staff Secretary

Mr. Morton H. Halperin
122 Maryland Avenue, N. E.
Washington, D. C. 20002

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

[redacted]
122 MARYLAND AVENUE, N. E.
WASHINGTON, D. C. 20002
(202) 544-5380

February 19, 1975

Mrs. Jeanne Davis
Staff Secretary
Room 374
National Security Council
Old Executive Office Building
Washington, DC 20506

Dear Jeanne:

This is a request under the Freedom of Information Act as amended (5 U.S.C. §552).

I write to request a copy of all National Security Council Intelligence Directives (NSCIDs) issued since 1948, whether or not they are still in effect. I am making a similar request to the CIA.

(more)

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

As you know, the amended Act provides that if some parts of a file are exempt from release that "reasonably segregable" portions shall be provided. I therefore request that, if you determine that some portions of the requested information are exempt, you provide me immediately with a copy of the remainder of the file. I, of course, reserve my right to appeal any such deletions.

If you determine that some or all of the requested information is exempt from release, I would appreciate your advising me as to which exemption(s) you believe covers the information which you are not releasing.

I am prepared to pay costs specified in your regulations for locating the requested files and reproducing them.

As you know, the amended Act permits you to reduce or waive the fees if that "is in the public interests because furnishing the information can be considered as primarily benefiting the public." I believe that this request plainly fits that category and ask you to waive any fees.

If you have any questions regarding this request, please telephone me at the above number.

As provided for in the amended Act, I will expect to receive a reply within 10 working days.

Sincerely yours,

Morton H. Halperin

mhh/cmm

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

Page Denied

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

Page Denied

STAT

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

Page Denied

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

April 22, 1975

Dear Mr. Halperin:

I am writing in response to your letter of March 26 (D-1), in which you appeal to Secretary Kissinger the NSC Staff denial of your request for a copy of all National Security Council Intelligence Directives.

It will be necessary to extend the twenty-day reviewing period for the response to your appeal as provided for under Section (6)(B)(iii) of the amended Freedom of Information Act to allow time for consultation with another agency.

I would expect to respond to your appeal no later than April 30, 1975.

Sincerely,

Jeanne W. Davis
Staff Secretary

Mr. Morton Halperin
122 Maryland Avenue, N. E.
Washington, D. C. 20002

Dispatched 4/22/75 (mh)

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

Page Denied

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

March 17, 1975

Dear Mr. Halperin:

I am writing in further response to your letter of February 19, 1975 in which you request a copy of all National Security Council Intelligence Directives issued since 1948.

The NSC Staff has carefully reviewed these documents and has determined that for the present all of them must remain classified and that they are exempt from declassification under Section (b) (1) of the amended Freedom of Information Act.

You are aware that you have the right to appeal this decision to Mr. Kissinger, in his role as Assistant to the President for National Security Affairs. Such an appeal should be addressed to me as Staff Secretary of the National Security Council.

Sincerely,

Jeanne W. Davis
Staff Secretary

Mr. Morton H. Halperin
122 Maryland ~~Avenue~~, N.E.
Washington, D. C. 20002

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)
No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

(b)(5)

Page Denied

STAT

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

WASHINGTON, D.C. 20505

6 March 1975

Mr. Morton H. Halperin
122 Maryland Avenue, N.E.
Washington, D.C. 20002

Dear Mr. Halperin:

This is in response to your letter of February 19, 1975 requesting a copy of all National Security Council Intelligence Directives (NSCIDs) sent to the CIA since 1948.

This is to advise you that the documents you request are National Security Council documents. Accordingly, we are referring the request for these documents to the National Security Council as appropriate for action by that body.

STAT

Very truly yours,

STAT

Freedom of Information Coordinator

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

MORTON H. HALPERIN

WASHINGTON, D. C. 20002

(202) 544-5380

February 19, 1975

Mr. Angus MacLean Thuermer
The Assistant to the Director
Central Intelligence Agency
Washington, DC 20505

Dear Mr. Thuermer:

This is a request under the Freedom of Information Act as amended (5.U.S.C. §552).

I write to request a copy of all National Security Council Intelligence Directives (NSCIDs) sent to the CIA since 1948, including both those no longer in effect aw well as those currently in effect. I am making the same request to the NSC.

(more)

FEB 20 5 13 PM '75

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

As you know, the amended Act provides that if some parts of a file are exempt from release that "reasonably segregable" portions shall be provided. I therefore request that, if you determine that some portions of the requested information are exempt, you provide me immediately with a copy of the remainder of the file. I, of course, reserve my right to appeal any such deletions.

If you determine that some or all of the requested information is exempt from release, I would appreciate your advising me as to which exemption(s) you believe covers the information which you are not releasing.

I am prepared to pay costs specified in your regulations for locating the requested files and reproducing them.

As you know, the amended Act permits you to reduce or waive the fees if that "is in the public interests because furnishing the information can be considered as primarily benefiting the public." I believe that this request plainly fits that category and ask you to waive any fees.

If you have any questions regarding this request, please telephone me at the above number.

As provided for in the amended Act, I will expect to receive a reply within 10 working days.

Sincerely yours,

Morton H. Halperin

mhh/cmm

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1

P.S. Should this letter leave you in any doubt, this is to advise you that this is an intended request as described in the Agency regulations. I believe that the procedure described in S1900.31(d) of the Agency regulations are not consistent with the language of the Freedom of Information Act which requires a response to a request within 10 working days and does not permit the Agency to add additional days to the time allowed. In any case, since I am informing you that this is a request under the FOIA and your regulations, there is no need for you to make such a determination and I will expect to receive a response to my request within 10 working days of your receipt of this letter.

No Objection to Declassification in Part 2013/04/26 : LOC-HAK-68-4-1-1